

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
Philadelphia Division

IN RE:

VINCENT M WENDOWSKI

Debtor

Chapter 13

Case No. 24-11587-PMM

CAPITAL ONE AUTO FINANCE, A  
DIVISION OF CAPITAL ONE, N.A.

Movant

v.

VINCENT M WENDOWSKI  
(Debtor)

ROBERTA D SMITH  
(Co-Debtor)

KENNETH E. WEST  
(Trustee)

Respondents

MODIFYING  
**ORDER ~~TERMINATING~~ AUTOMATIC STAY**

AND NOW, this 17th day of June, 2025, upon consideration of the Motion for Relief from Automatic Stay (“Motion”), filed by Capital One Auto Finance, a division of Capital One, N.A. (“Movant”), and any response thereto, and good cause having been shown, it is hereby

**ORDERED**, that the Motion be, and the same is hereby **GRANTED**; and it is further  
modified

**ORDERED** that the Automatic Stay imposed by 11 U.S.C. § 362 is ~~terminated~~, permitting Capital One Auto Finance, a division of Capital One, N.A., and its successors and assigns, to exercise its rights under applicable law against the Property; and Capital One Auto Finance, a division of Capital One, N.A. is allowed to enforce the contract rights as it pertains to the 2010

Honda CR-V VIN No. 5J6RE4H38AL080043 to obtain possession of and/or dispose of the Property; and it is further

**ORDERED**, that Relief from the Automatic Stay is granted allowing Movant to proceed under applicable non-bankruptcy law to enforce its remedies and obtain possession of and/or dispose of the Property and/or allowing Movant, through its agents, servicers and representatives to contact Debtor and/or Debtor's counsel for the purpose of engaging in discussions and consideration for possible solutions and/or resolutions; and it is further

**ORDERED**, that the Order be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code; and it is further

**ORDERED**, that this Order is immediately effective and is not stayed by operation of law, notwithstanding the stay provisions of [Fed. R. Bankr. P. 4001\(a\)\(4\)](#).

BY THE COURT:

**Date: June 17, 2025**



Honorable Patricia M. Mayer  
U.S. Bankruptcy Judge